UNITED STATES PATENT AND TRADEMARK OFFICE

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EXAMINER
FIELDS, COURTNEY D

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *21 September 2005*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *15-28* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *15-28* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☒ All   b)☐ Some * c)☐ None of:
      1.☒ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-14 have been cancelled.

2.   Claims 15-28 have been added.

3.   Claims 15-28 are pending.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 15-28 are rejected under 35 U.S.C. 102(e) as being anticipated by

Nassor (US Patent No. 6,687,800).

        Referring to the rejection of claim 15, Nassor discloses a method for releasing a

data processing unit for processing project data of a project; comprising:

        requesting usage permission (i.e. chip card) for using the data processing unit to

process project data belonging to a predetermined project; (See Column 3, lines 32-39)

        generating a first signature by signing predetermined project data belonging to

the project; (See Column 6, lines 18-28)

        verifying the first signature for correctness; (See Column 8, lines 9-15)

        and releasing the data processing unit to process the project data belonging to

the project if the first signature is verified as correct. (See Column 8, lines 15-20)

Referring to the rejection of claim 16, Nassor discloses the claimed limitation wherein the first signature is generated in a device for generating an usage permission, the predetermined project data being transmitted via a communication network to the usage-permission generating device. (See Column 4, lines 49-60)

Referring to the rejection of claim 17, Nassor discloses a method for releasing a data processing unit for processing project data of a project; comprising:

requesting usage permission (i.e. chip card) for using the data processing unit to process project data belonging to a predetermined project, the predetermined project data being cryptographically protected; (See Column 3, lines 32-39)

transmitting the predetermined, cryptographically protected project data via a communication network to a usage-permission generating device; (See Column 4, lines 49-60)

generating a first signature by signing the predetermined, cryptographically protected project data belonging to the project, the predetermined, cryptographically protected project data being signed by the usage-permission generating device (i.e. chip card); (See Column 6, lines 18-28)

verifying the first signature for correctness; (See Column 8, lines 9-15)

and releasing the data processing unit to process the project data belonging to the project if the first signature is verified as correct. (See Column 8, lines 15-20)

Referring to the rejection of claim 18, Nassor discloses the claimed limitation wherein

generating a second signature by signing the predetermined project data; (See Column 5, lines 39-44)

transmitting the predetermined project data and the second signature to the usage- permission generating device; (See Column 4, lines 49-60)

verifying the second signature for correctness; (See Column 8, lines 9-15)

and the first signature is generated from the predetermined project data only if the second signature verified as correct. (See Column 8, lines 15-20)

Referring to the rejection of claim 19, Nassor discloses the claimed limitation wherein

generating a second signature by signing the predetermined, cryptographically protected project data; (See Column 5, lines 39-44)

transmitting the predetermined, cryptographically protected project data and the second signature to the usage-permission generating device; (See Column 4, lines 49-60)

verifying the second signature for correctness; (See Column 8, lines 9-15)

and generating the first signature from the predetermined, cryptographically protected project data only if the second signature is correct. (See Column 8, lines 15-20)

Referring to the rejection of claim 20, Nassor discloses the claimed limitation

wherein generating an invoice data record for usage of the data processing unit for the

client as a function of the predetermined project data. (See Column 6, lines 49-51)

Referring to the rejection of claim 21, Nassor discloses the claimed limitation

wherein assigning a client a plurality of value units for the release of the data processing

unit for multiple projects, wherein the plurality of value units are devalued in response to

a request by the client for a usage right. (See Colum 8, lines 21-24)

Referring to the rejection of claim 22, Nassor discloses A communication system

for releasing a data processing unit for processing project data of a selected project,

comprising:

a computer assigned to a client; (See Column 3, lines 53-55)

a data processing unit implemented in the computer; (See Column 3, lines 35-39)

a memory device, the memory device being a part of data processing unit and in

which predetermined project data of at least one project to be processed are stored;

(See Column 4, lines 5-20)

a usage-permission generating device assigned to the computer, the usage-

permission generating device including: (See Column 3, lines 32-39)

a first device for generating a first signature from the predetermined project data

of a selected project, (See Column 6, lines 18-28)

wherein the computer has a device for verifying the first signature and for

releasing the data processing unit, (See Column 8, lines 9-15)

which releases the data processing unit for processing the project data belonging

to the selected project only if the first signature is determined correct. (See Column 8,

lines 15-20)

Referring to the rejection of claim 23, Nassor discloses the claimed limitation

wherein

a first interface associated with the computer, the interface being used for

connection to a communication network; (See Column 3, lines 58-59)

a device associated with the computer for cryptographically protecting the

predetermined project data; (See Column 6, lines 18-28)

and a second interface associated with the usage-permission generating device,

the interface being used for connection to a communication network so that the first

signature can be transmitted via the communication network to the computer. (See

Column 4, lines 58-60)

Referring to the rejection of claim 24, Nassor discloses the claimed limitation

wherein the computer is assigned a second signature device for generating a second

signature from the predetermined project data; the computer is designed for transmitting

the second signature and the associated, predetermined project data via a

communication network to the usage-permission generating device; and further

comprising (See Column 5, lines 39-44):

a second device for verifying the second signature, the second device being

associated with the usage-permission generating device, wherein the first signature

device generates the first signature only if the second signature is determined correct.

(See Column 8, lines 9-15)

Referring to the rejection of claim 25, Nassor discloses the claimed limitation

wherein the computer is assigned a second signature device for generating a second

signature from the predetermined, cryptographically protected project data; the

computer is designed for transmitting the second signature and the associated,

predetermined, cryptographically protected project data via the communication network

to the usage-permission generating device; and further comprising (See Column 5, lines

39-44):

a second device for verifying the second signature, the second device being

associated with the usage-permission generating device, wherein the first signature

device generates the first signature only if the second signature is determined correct

(See Column 8, lines 9-15)

Referring to the rejection of claim 26, Nassor discloses the claimed limitation

wherein a device for generating an invoice data record for the client for usage of the

data processing unit as a function of the predetermined project data of a selected

project. (See Column 6, lines 49-51)

Referring to the rejection of claim 27, Nassor discloses the claimed limitation

wherein the usage-permission generating device is a chip card in which the first

signature device is implemented and which is able to generate a predetermined number

of first signatures; and further comprising:

a chip card reader assigned to the computer. (See Column 21, lines 19-26 and

Column 2, lines 57-60)

Referring to the rejection of claim 28, Nassor discloses the claimed limitation

wherein

a memory assigned to the computer in which at least one value unit for release,

with costs, of the data processing unit for processing project data of at least one

selected project is stored for at least one client; (See Column 8, lines 15-21)

and a device for devaluing the at least one value unit. (See Colum 8, lines 21-24)

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to COURTNEY D. FIELDS whose telephone number is

(571)272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00

pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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published applications may be obtained from either Private PAIR or Public PAIR.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Courtney D. Fields/
Examiner, Art Unit 2137
August 29, 2008

/Emmanuel L. Moise/
Supervisory Patent Examiner, Art Unit 2137